

**MINUTES OF THE  
SENATE BUSINESS AND LABOR STANDING COMMITTEE**

215 Senate Building, Utah State Capitol Complex

February 29, 2016

**Members Present:** Sen. Curtis S. Bramble, Chair  
Sen. Gene Davis  
Sen. Deidre M. Henderson  
Sen. Karen Mayne  
Sen. Todd Weiler

**Members Excused:** Sen. J. Stuart Adams  
Sen. Ralph Okerlund

**Staff Present:** Mr. Joseph T. Wade, Policy Analyst  
Ms. Karen Allred, Committee Secretary

**NOTE:** A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Bramble called the meeting to order at 8:02 a.m.

**MOTION:** Sen. Mayne moved to approve the minutes of the February 25, 2016 meeting. The motion passed unanimously with Sen. Davis and Sen. Weiler absent for the vote.

**S.B. 217      Alcoholic Beverage Control Act Licensing Amendments (*J. Stevenson*)**

**MOTION:** Sen. Mayne moved to adopt the following amendments:

1.      *Page 37, Lines 1128 through 1129:*

1128      (e) have on-premise banquet space and provide on-premise banquet service within the  
            of the hotel  
1129 meeting the requirements of this title;

2.      *Page 39, Lines 1176 through 1186:*

1176      (3) (a) The commission may not issue a total number of hotel licenses that at any time  
1177 totals more than 80.  
1178      (b) Subject to Subsection (3)(c), when determining the total number of licenses the  
1179 commission has issued for each type of retail license, the commission may not include a  
1180 sublicense as one of the retail licenses issued under the provisions applicable to the  
            sublicense.  
1181      (c) If a hotel license issued under this chapter includes a club sublicense that before the  
1182 issuance of the hotel license was a club license, the commission shall include the club  
1183 sublicense as one of the club licenses in determining if the total number of licenses issued  
1184 under the provisions applicable to the club license exceeds the number calculated by  
            dividing

1185 the population of the state by the number specified in the provisions applicable to the club  
1186 license.

(d) A person may not transfer a club license under Chapter 8a, Transfer of Retail License Act, in a manner that circumvents the limitations of Subsection (3)(c).

The motion passed unanimously with Sen. Davis absent for the vote.

Sen. Stevenson explained the bill to the committee.

**MOTION:** Sen. Mayne moved to pass the bill out favorably. The motion passed unanimously with Sen. Davis absent for the vote.

Sen. Henderson assumed the committee chair.

**S.B. 234 Protecting Unborn Children Amendments (C. Bramble)**

Sen. Bramble explained the bill to the committee.

Handouts were distributed.

Spoke for the bill: Laura Bunker, United Families International  
Deanna Holland, Vice President, Pro-Life Utah  
Nathan Brown, citizen  
Kimberly Ells, Utah Pro-Life Coalition  
Callie Oppedisano, Director, Pro Life ministry  
Jeana Jones, Pro-Life Chair, Knights of Columbus  
Maryam Christensen, Executive Director, Utah Eagle Forum  
Mary Taylor, President, Pro-Life Utah  
Mary Kelch, Executive Director, Pro-Life Utah

Spoke against the bill: Chelsea Hicken, Planned Parenthood  
Sara Johnson, Planned Parenthood Association of Utah  
Dana Reinke, Planned Parenthood Lobbyist  
Kenwyn Derby, Planned Parenthood  
Marina Lowe, American Civil Liberties Union  
Leah Torres, Physician  
Aimee Fisher, Citizen Lobbyist, Planned Parenthood  
Rachelle Kaplan, National Council of Jewish Women

**MOTION:** Sen. Bramble moved to pass the bill out favorably. The motion passed with Sen. Davis voting in opposition.

Sen. Bramble resumed as committee chair.

**H.B. 292 2<sup>nd</sup> Sub. Deferred Deposit Lending Amendments (B. Daw)**

Rep. Daw explained the bill to the committee.

Spoke for the bill: Paul Allred, Deputy Commissioner, Department of Financial Institutions

**MOTION:** Sen. Weiler moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 112 1<sup>st</sup> Sub Continuing Education for Contractor Licensing Amendments (S. Sandall)**

Rep. Sandall explained the bill to the committee.

Spoke for the bill: Paul Rogers, Workers' Compensation Fund  
Taz Besinger, Utah Homebuilders Association

Spoke against the bill: John Hill, Rocky Mountain Gas Association

**MOTION:** Sen. Mayne moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 228 2<sup>nd</sup> Sub. Alcohol Modifications (Froerer)**

**MOTION:** Sen. Mayne moved to amend the bill as follows:

1. Page 1, Lines 12 through 14:

- 12 ▶ defines terms;
- 13 ▶ clarifies {[citations](#)} [provisions related to unlawful sale or furnishing of alcoholic products](#) ;
- 14 ▶ authorizes tastings by manufacturing licensees under certain conditions;

2. Page 4, Lines 112 through 113:

- 112 (1) As used in this section {["taste"](#)} :
  - [\(a\) "Parcel" means the same identifiable contiguous unit of property that is treated as separate for valuation or zoning purposes and includes an improvement on that unit of property.](#)
  - [\(b\) "Taste" means an amount of an alcoholic product provided](#)
- 113 [by a manufacturing licensee for consumption under this section.](#)

3. Page 5, Lines 135 through 136:

- 135 (6) (a) [A manufacturing licensee shall establish a distinct area for consumption of a taste](#)
- 136 [outside the view of minors](#) and [in which minors are not allowed during the time period when tasting occurs.](#)
  - [\(b\) The distinct area for consumption for a taste established under this Subsection \(6\) shall be in the same building as where the manufacturing licensee produces alcoholic product or in a building on the same parcel as the building where the manufacturing licensee produces alcoholic product.](#)

4. Page 5, Lines 137 through 138:

137       (7) (a) A manufacturing licensee shall have ~~{a variety of}~~ substantial food  
available that is served on the  
138       licensed premises to an individual consuming a taste.

(b) The commission may define what constitutes "substantial food" by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, except that the rule may not require culinary facilities for food preparation that are equivalent to a restaurant or dining club.

The motion passed unanimously.

Rep. Froerer explained the bill to the committee.

Spoke to the bill: Richard Nance, Director, Utah County Drug and Alcohol Prevention and  
Treatment  
Nina McDermett, Utah Department of Alcoholic Beverage Control

Spoke for the bill: Steve Barth, Lobbyist

**MOTION:** Sen. Mayne moved to pass the bill out favorably. The motion passed with Sen. Weiler voting in opposition.

**S.B. 44      Construction Code Amendments (*M. Dayton*)**

Sen. Dayton explained the bill to the committee.

Spoke for the bill: Sterling Brown, Utah Farm Bureau

Spoke against the bill: Ted Black, Chief Deputy, Utah State Fire Marshall's Office

**MOTION:** Sen. Henderson moved to pass the bill out favorably. The motion passed unanimously with Sen. Davis and Sen. Mayne absent for the vote.

**MOTION:** Sen. Henderson moved to adjourn. The motion passed unanimously with Sen. Davis and Sen. Mayne absent for the vote.

Chair Bramble adjourned the meeting at 9:39 a.m.